

DUANE MORRIS LLP

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Attorneys for Defendant / Counterclaim Plaintiff
 Caudill Seed & Warehouse Co. d/b/a Caudill Seed Co.

IN THE UNITED STATES DISTRICT COURT
 FOR THE SOUTHERN DISTRICT OF NEW YORK

-----X
 BRASSICA PROTECTION PRODUCTS, LLC,

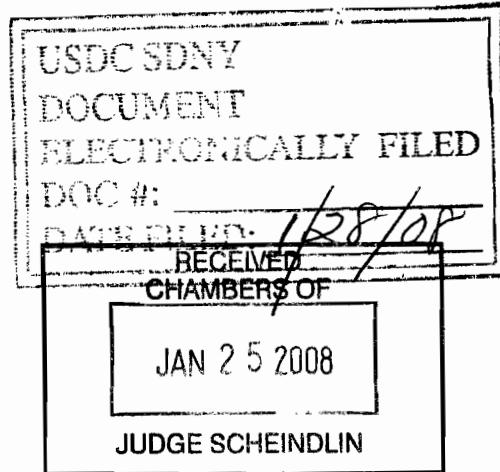
Plaintiff / Counterclaim Defendant,

-against-

CAUDILL SEED & WAREHOUSE CO., INC.
 d/b/a CAUDILL SEED CO.,

Defendant / Counterclaim Plaintiff.
 -----X

Civil Action No. 1:07-CV-07844
 (SAS) (DFE)

**STIPULATION AND PROPOSED ORDER**

In light of the upcoming settlement conference scheduled with Magistrate Judge Eaton for January 30, 2008, Defendant / Counterclaim Plaintiff Caudill Seed & Warehouse Co., Inc., d/b/a Caudill Seed Co. ("Caudill"), by and through its undersigned counsel, and Plaintiff / Counterclaim Defendant Brassica Protection Products, LLC ("Brassica"), by and through its undersigned counsel, do hereby stipulate to extend the times in connection with the following deadlines:

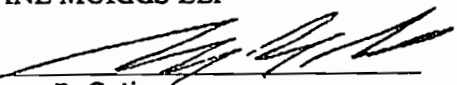
- (1) Caudill's time to serve and file a written election as to whether Caudill will assert advice of counsel as a defense to the allegation of willful infringement is extended until February 1, 2008;

- (2) Brassica's time to reply or otherwise respond to Caudill's counterclaims asserted in Caudill's Answer and Counterclaims is extended until February 15, 2008; and
- (3) Caudill's time to serve responsive documents and responses to Brassica's Rule 34 requests is extended until February 15, 2008.

This is the first request for an extension of time for these dates. The requested extensions of time should not affect any other scheduled dates in this case.


DATED: New York, New York
January 25, 2008

DUANE MORRIS LLP

By: 
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Attorneys for Defendant /
Counterclaim Plaintiff Caudill Seed &
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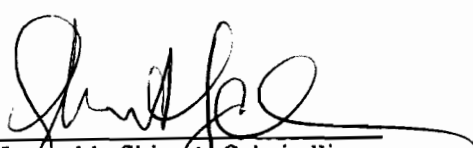
BINGHAM McCUTCHEN LLP

By: 
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Attorneys for Plaintiff /
Counterclaim Defendant
Brassica Protection Products, LLC

SO ORDERED:

Dated: 1/25/08


Honorable Shira A. Scheindlin
United States District Judge